

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CLEVERLAND MCGOWAN,

PLAINTIFF

V.

NO. 4:05CV25-WAP-EMB

**JODY BRADLEY, DELMAR MAXWELL,
PAM HORNE AND J. C. HARRIS,
WALTER HARRIS and “UNKNOWN” DUVANTE,**

DEFENDANTS

FINAL JUDGMENT

On consideration of the file and record of this action, a hearing having been conducted by the magistrate judge pursuant to 28 U.S.C. §636(b)(1)(B) and *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985), the Court finds that the Report and Recommendation of the United States Magistrate Judge dated July 22, 2005, was on that date duly served by regular mail upon the *pro se* plaintiff; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated July 22, 2005, is hereby approved and adopted as the opinion of the Court.
2. That plaintiff's Complaint is dismissed with prejudice as frivolous. The Clerk is directed to close this case.

THIS, the 26th day of September, 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE